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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/004,790

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Hideyuki Mori

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06/20/2006

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EXAMINER

ALLEN, WILLIAM J

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/004,790	Applicant(s) MORI ET AL.	
	Examiner William J. Allen	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 5, 6, 12, 15, 19, 20, 26, 29, 30 and 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 6, 12, 15, 19, 20, 26, 29, 30, and 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/31/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prosecution History Summary

Claims 1, 15, 29 and 43 have been amended per applicant's response filed 3-24-2006.

Claims 3 – 4, 7 – 11, 13 – 14, 16 – 18, 21 – 25, 27 – 28, 31 – 42 and 44 have been canceled.

Currently, claims 1, 2, 5, 6, 12, 15, 19, 20, 26, 29, 30, and 43 are pending.

Information Disclosure Statement

The Examiner notes that the IDS filed 10/31/2005 has been considered and included with the Office Action.

Response to Arguments

Applicant's arguments filed 3/24/06 have been fully considered but they are not persuasive. The Examiner notes that Applicant did not provide any arguments other than support for the amended claims in the specification and a blank statement that "a similar combination of elements, including the registering and creating steps described above, is neither disclosed nor suggested in any of the cited references, viewed alone or in combination". The Examiner asserts that, in at least column 1 lines 65-67, column 3 lines 14-25, column 4 lines 14-5, and column 5 lines 48-50, the amended registering and creating steps are taught by Wiecha.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 15, 29 - 30 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiecha (US 5,870,717) in view of Manchala (US 6,405,178 B1).

Regarding claim 1 and related claims 15, 29 and 43 (currently amended),
Wiecha teaches a method and system of receiving and handling an order from a customer using an order-reception system, which is comprised of at least one computer and has an order-reception Subsystem, business management subsystem and order-entry subsystem, comprising the steps of:
registering, by the order-entry subsystem, price information designating a price of a commodity, in a database of the business management system (see at least Col. 1 lines 65-67, Col 3, lines 14 – 17, Col 5 lines 48-50 and Figures 6, 7 and 12);
creating, by the order-reception subsystem, an order form for purchasing commodities and catalog, based on the price information (see at least Col 3, lines 14 – 28, Col 4, lines 14 – 40 and lines 48 – 55);
registering by the order-reception subsystems sales-promotion information to be displayed sales-promotion materials and inquiry information to be displayed as O&A information's;

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storing, in a sales-information database comprising a storage by the order-reception subsystem, Bulletin Board System information to be posted on a Bulletin Board System style page according to date and classification; the registered sales-promotion information to be displayed as sales-promotion materials according to date and classifications' and the registered inquiry information to be displayed as the O&A information according to date, context and maker;

displaying by the order-reception subsystem the Bulletin Board System information on the Bulletin Board System style pages

displaying by the order-reception subsystem, the sales-promotion materials;

receiving- by the order-reception subsystems customer order information sent from the customer, said customer order information including customer information regarding the customer and at least one of ordering information representing contents of an order for a commodity ordered by the customer and support request information representing contents of a support request;

performing- by the order-reception subsystem. the order reception processing based on the received customer order information;

determining by the order-reception subsystems to deliver the commodity specified in the ordering information and to provide a support specified in the support information, based on a result of the order reception processing',

and

charging by the order-reception subsystem a price of the commodity specified in the

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ordering information and a cost of the support specified in the support request information, based on the customer information including information regarding a price of each commodity purchased by the customer with high frequency and a cost of each support requested by the customer with high frequency, wherein the price and the cost are set by a seller of the commodity and support (see at least Abstract, Col 4, lines 14 – 41, Col 5, lines 30 – 53, Col 8, lines 14 – 22, Col 9, lines 48 – 49, Col 10, lines 39 – 42, Col 12, lines 6 – 20 and Figures 3, 7, 8 and 12). Please note that with the extremely broad wording of the claims and particularly the amended portion, the interpretation for examination purposes includes sales promotion as equivalent to a catalog, which includes sales promotion information such as price and inquiry information as the user comparing products. It is noted that supplier catalogs are provided to “promote” their products and catalogs are thereby considered to be sales promotion information. In turn, this promotion information is stored in the method and system of Wiecha for retrieval and display for the purchaser to browse and purchase. Once the purchaser selects the product or service, the PO is processed by the business/legacy systems (i.e. order reception subsystem) of Wiecha and the appropriate charge for the product is applied to the appropriate internal budget (business management subsystem)[see at least Figures 6 and 7]. In turn, the PO is sent to the supplier, who acknowledges and updates the purchaser regarding status of the order. Moreover, Wiecha discloses multiple subsystems including an order reception subsystem (Figure 7). Furthermore, Wiecha discloses updates to the catalog/sales promotion information are received from suppliers in order to keep sales promotion information such as price set by the supplier

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to keep current (Col 5, lines 51 - 53). Also please note that the steps of registering, storing, displaying and receiving are merely transmitting, storing, displaying and receiving data, which is considered to be non functional descriptive material (MPEP 2106). For example, the storing of the Bulletin Board System style sheet and following recitation regarding the Bulletin Board System information is considered to be non-functional descriptive material, which is given very little patentable weight. The phrase(s) and or word(s) after storing are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Wiecha. Thereby, the non-fictional descriptive material is directed only to the content of the information stored (Bulletin Board System information) and therefore does not affect either the structure or method/process of Wiecha, which leaves the method and system unchanged.

While Wiecha does disclose the supplier updating the status of a PO fulfillment, the reference does not specifically disclose and teach a method and system confirming by the order-reception subsystems whether the commodity is delivered and the support is provided and wherein the support request includes information regarding for at least one of: a service for delivering the commodity to a place specified by the customer; a service for unpacking the ordered commodity at time of delivery; a service for collecting an empty box that the customer does not need any more; a service for delivering commodities that are repeatedly supplied to the customer on a FIFO basis; a service for specifying a delivery date for delivering the commodity to be delivered; a service for

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urgently delivering the ordered commodity; and a serviced for periodically delivering a constant number of commodities specified by the customer.

On the other hand, Manchala teaches a method and system for confirming whether the commodity is delivered and the support is provided and wherein the support request includes information regarding for at least one of: a service for delivering the commodity to a place specified by the customer (Abstract and Col 4, lines 43 – 44 and Col 5, lines 3 – 7); a service for unpacking the ordered commodity at time of delivery; a service for collecting an empty box that the customer does not need any more; a service for delivering commodities that are repeatedly supplied to the customer on a FIFO basis; a service for specifying a delivery date for delivering the commodity to be delivered; a service for urgently delivering the ordered commodity; and a serviced for periodically delivering a constant number of commodities specified by the customer. Please note that Manchala doe not specifically disclose a support request that includes information specifying a place to deliver the commodity. However, Manchala does disclose a support request as well as an associated purchase Order. In that regard, it is well known that a purchase order specifies a place for deliver in order that a commodity is delivered to the correct address.

It would have been obvious tone of ordinary skill in the art to have provided the method and system of Wiecha with the method and system of Manchala to have enabled a method and system as recited in the independent claims and exemplified by claim 1.

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Wiecha discloses a method and system of receiving and handling an order from a customer using an order-reception system which is comprised of at least one computer and has an order-reception Subsystem, business management subsystem and order-entry subsystem, comprising the steps of: registering, storing and displaying of sales promotion information and the necessary order processing of receiving, performing and charging for the order sent to a supplier as well confirming that the order was received by the supplier (see at least Abstract, Col 4, lines 14 –41, Col 5, lines 30 – 53, Col 8, lines 14 – 22, Col 9, lines 48 – 49, Col 10, lines 39 – 42, Col 12, lines Figure 3, 7, 8 and 12). In turn, Manchala teaches an order processing system, which confirms that order product, is delivered (Abstract and Col 5, lines 3 – 7). Thereby, one of ordinary skill in the art would have been motivated to extend the methods and system of Wiecha with a method and system for confirming whether the commodity is delivered and the support is provided. In this regard, the purchaser will be able to close the PO with the confirming of the delivery and thereby ensure that the PO amount can be expensed appropriately.

Regarding claim 2 and related claim 30, Manchala teaches a method and system further including steps of checking by the order-entry subsystem whether there is a stock of the commodity specified in the ordering information based on stock information; determining by the order-entry subsystem a delivery date for delivering the ordered commodity; and sending by the order-entry subsystem order-reception confirmation information including delivery date information representing the determined

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delivery date and the customer information to the customer either in a facsimile form or e-mail form (Abstract, Col 1, lines 39 – 42, Col 5, lines 3 – 7 and lines 33 – 36).

Claims 5 – 6 and 19 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wiecha and Manchala as applied to claim 1 above, and further in view of Moreno (US 6,882,269 B2).

The combination of Wiecha and Manchala disclose and teach substantially the applicant's invention.

However the combination does not specifically disclose and teach a method, wherein the support request information includes information regarding a request for collecting recyclable items including at least one of a used cartridge, a used toner container and used paper nor a method and system wherein the order reception system is further comprised of a delivery subsystem; and further comprising the step of arranging, by the delivery subsystem, collection of used paper, in response to a support request for collecting used paper from the customer when a used paper collection box provided to the customer is filled with used paper.

On the other hand and claim 5 and related claim 19, Moreno teaches a method, wherein the support request information includes information regarding a request for collecting recyclable items including at least one of a used cartridge, a used

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toner container and used paper (Figure 1 and 3). Please note that Moreno does not disclose recyclable items. However, Moreno does disclose collecting items. In that regard, it would have been obvious to one of ordinary skill in the arts to extend items with recyclable items. Thereby, these additional items can be included, which will increase the number of items collected.

Regarding claim 6 and related claim 20, the recitation that method further including the step of arranging collection of used paper, in response to a support request for collecting used paper from the customer when a used paper collection box provided to the customer is filled with used paper”, such recitation is given little patentable weight because it imparts no structural or functional specificity which serves to patentably distinguish the instant invention from the other “collecting” already disclosed by Moreno.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Wiecha and Manchala with the method and system of Moreno to have enabled a method and system wherein the support request information includes information regarding a request for collecting recyclable items including at least one of a used cartridge, a used toner container and used paper. The combination of Wiecha and Manchala disclose a method and system as recited in claim 1. In turn, Moreno discloses a method and system wherein the support request information includes information regarding a request for collecting recyclable items

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including at least one of a used cartridge, a used toner container and used paper
(Abstract and Figures 1 and 3).

Claims 12 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wiecha and Manchala as applied to claims 1, 15, and 29 above, and further in view of Sawada (US 6,141,507).

The combination of Wiecha and Manchala disclose and teach substantially the applicant's invention.

However, the combination does not specifically disclose and teach a method and system further comprising the steps of: assigning, by the order reception subsystem in a case where the customer has made a contract of maintenance service for an of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining by the order reception subsystem to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information.

On the other hand and regarding claim 12 and related claim 26, Sawada teaches a method and system, further comprising the steps of: assigning, by the order

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reception subsystem in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information (Col 1, lines 18 – 24 and Col 2, lines 26 – 34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Wiecha and Manchala with the method and system of Sawada to have enabled a method and system further comprising the steps of: assigning, by the order reception subsystem in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining by the order reception subsystem to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information. The combination of Wiecha and Manchala disclose a method and system for receiving a customer order, performing the order reception processing, delivery confirmation and charging a price for the delivered commodity and or service. Sawada discloses a method and system further comprising the steps of: assigning, in a case where the

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customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information (Col 1, lines 18 – 24 and Col 2, lines 26 – 34). Therefore, one of ordinary skill in the art would have been motivated to extend the combination of Wiecha and Manchala with a method and system further comprising the steps of: assigning, in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 6,085,170 to Tsukuda discloses online ordering a scheduling as well as coordinating delivery

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

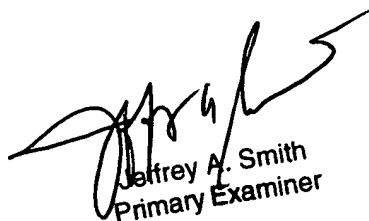
Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Allen whose telephone number is (571) 272-1443. The examiner can normally be reached on 8:00 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rob Pond can be reached on (571) 272-6760. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William J. Allen
Patent Examiner
June 8, 2006



Jeffrey A. Smith
Primary Examiner

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